



STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION  
BUREAU OF INSURANCE



Janet T. Mills  
Governor

Anne L. Head  
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Timothy N. Schott  
Acting Superintendent

**Bulletin 467**  
**Interim Guidance for Mandated Fertility Coverage**

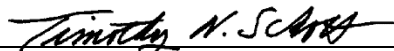
Pursuant to 24-A M.R.S. § 4320-U, all health plans subject to the Maine Health Plan Improvement Act, and issued or renewed on or after January 1, 2024, must provide coverage for fertility diagnostic care, fertility treatment, and fertility preservation service.

On May 22, 2023, the Superintendent published Proposed Rule Chapter 865, Standards for Fertility Coverage, on the Bureau of Insurance website. Until an adopted rule is in effect, carriers may submit rate and form filings that are consistent with the Proposed Rule, the statute, and any further interim guidance that might subsequently be issued by the Superintendent. Rate filings shall assume defrayal of benefits in accordance with parameters consistent with the Proposed Rule.

There may be an opportunity for adjustments to this filing to accommodate possible changes made in the adopted rule, following the review of comments, prior to the deadline for submission of final rates for Marketplace plans. This deadline is anticipated to be in mid-August 2023.

If it is not feasible to incorporate changes made from the Proposed Rule in the adopted rule into Marketplace plan filings for Plan Year 2024, those filings shall be approved in accordance with the interim guidance then in effect. The approved forms shall be made available in the individual and small group markets for Plan Year 2024, and the approved Marketplace rates shall apply to all individual and first-quarter small group sales of those plans, on or off the Marketplace.

May 23, 2023

  
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Timothy N. Schott  
Acting Superintendent of Insurance

NOTE: This Bulletin is intended solely for informational purposes. It is not intended to set forth legal rights, duties, or privileges, nor is it intended to provide legal advice. Readers should consult applicable statutes and rules and contact the Bureau of Insurance if additional information is needed.

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